

## EXHIBIT A

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF NEW YORK

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3 SHATEQUA LEGUETTE, et al  
4 PLAINTIFFS

17 CV 7599 (JBW)

5 versus

U. S. Courthouse  
225 Cadman Plaza East  
Brooklyn, New York  
January 30, 2019  
10:00 a. m.

6 SCHWAN'S COMPANY, et al,  
7 DEFENDANTS.  
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9  
10 TRANSCRIPT OF CIVIL CAUSE FOR MOTION HEARING  
11 BEFORE THE HONORABLE JACK WEINSTEIN  
12 UNITED STATES DISTRICT JUDGE

13 APPEARANCES

14 Attorney for Plaintiff:

15 SHEEHAN & ASSOCIATES, PC  
16 505 Northern Boulevard, Suite 311  
17 Great Neck, New York 11021  
18 BY: **SPENCER SHEEHAN, ESQ.**

19 Attorneys for Defendants:

20 FOLEY HOAG, LLP  
21 1540 Broadway, 23rd Floor  
22 New York, New York 10036  
23 BY: **AUGUST HORVATH, ESQ.**  
24 **MITAL PATEL, ESQ.**

25 ALSO PRESENT: SHATEQUA LEGUETTE

JENNIFER HOLMBERG

Court Reporter:

LISA SCHMID, CCR, RMR  
Official Court Reporter  
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Brooklyn, New York 11201  
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THE COURT: Well, I am inclined to do two things.

One, find that this is not an adequate person to represent the class in the United States, and in any event, in view of the differences in law, I'm not sure that it's an adequate representation that I can deal with, when I know from other cases, you'll find that the law is different in many of the states. So, I'm inclined to sever the Florida representation.

You ever buy a pie in Florida?

MS. LEGUETTE: No.

THE COURT: Sever the Florida case, and send it

down.

You have a different representation for Florida, don't you?

MR. SHEEHAN: Yes, Your Honor. The plaintiff representative, Ms. Miller, who lives in Florida,

1 St. Petersburg, and who I contacted after the most recent  
2 docket order, informed me that due to her husband's recent  
3 release from the hospital and her intense fear and dislike of  
4 flying, she would not be able to be here this week.

5 THE COURT: But she still wants to represent --

6 MR. SHEEHAN: Oh, yes, sir.

7 THE COURT: -- Florida?

8 MR. SHEEHAN: Absolutely. And I told her I would  
9 convey her sentiments to me, and I would pass that along to  
10 the Court, and I can bring her on the phone, and --

11 THE COURT: She lives in Florida?

12 MR. SHEEHAN: Yes, sir.

13 THE COURT: And if she bought pies, it's likely to  
14 be in Florida?

15 MR. SHEEHAN: That's the only place.

16 THE COURT: Because of her flying problem, fear of  
17 flying?

18 MR. SHEEHAN: I don't know how she got to Florida.

19 THE COURT: Fear of lying --

20 MR. SHEEHAN: So she says.

21 THE COURT: -- that has nothing to do with fear of  
22 flying.

23 Well, I'm going to dismiss the representation of the  
24 United States by this one plaintiff. She simply can't do it.  
25 She's a local lady from Queens -- and neither can the

1 representative from Florida represent all those in the other  
2 48 states.

3           But with respect to Florida, I will permit you, if  
4 this is what you want to do, to sever the Florida case and  
5 transfer it to Florida. But I think that's going to cause  
6 both parties a good deal of legal problems.

7           You don't have a representative in Florida to handle  
8 this kind of case, do you?

9           MR. HORVATH: No, Your Honor, but we can probably  
10 manage somehow.

11           THE COURT: I understand.

12           Well, anyway, that's what I'll do.

13           Do you have any objection to those two?

14           MR. HORVATH: No, Your Honor. We don't.

15           THE COURT: Do you object?

16           MR. SHEEHAN: I don't quite understand the reason  
17 for severing, but of course, you know, we accept Your Honor's  
18 decision.

19           THE COURT: All right. The Florida case is severed.  
20 You'll file a new complaint, putting everything on Florida in  
21 one set of papers, and then submit an order transferring the  
22 case as indicated by the new pleadings separated from the old  
23 pleadings, and transferring it to Florida.

24           What district in Florida? Do you know?

25           MR. SHEEHAN: I am not certain, but I believe

THE COURT:

In any event, what I'm deciding today is to dismiss this suit as a national suit, to require a separate complaint for the Florida suit, and then our clerk will transfer it to Florida.

You'd better check and see what district it should be transferred to.